

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE SEPTEMBER 11 PROPERTY DAMAGE :
AND BUSINESS LOSS LITIGATION :

21 MC 101 (AKH)

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CONSOLIDATED EDISON COMPANY OF :
NEW YORK, INC., and; :
AEGIS INSURANCE SERVICES, INC., :
LIBERTY INTERNATIONAL UNDERWRITERS, INC., :
NATIONAL UNION INSURANCE COMPANY :
OF PITTSBURGH, NUCLEAR ELECTRIC INSURANCE :
LIMITED and CERTAIN UNDERWRITERS AT LLOYDS :
(SYNDICATE 1225), all as subrogees of CONSOLIDATED :
EDISON COMPANY OF NEW YORK, INC. :

07 Civ. 7968 (AKH)

Plaintiffs,

- against-

7 WORLD TRADE COMPANY, L.P., 7 WORLD TRADE :
COMPANY, L.P. d/b/a 7 WORLD TRADE CENTER :
COMPANY, SILVERSTEIN DEVELOPMENT CORP. :
and SILVERSTEIN PROPERTIES INC. :

Defendants.

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**DECLARATION OF MARK L. ANTIN IN OPPOSITION
TO SILVERSTEIN'S MOTION TO DISMISS**

MARK L. ANTIN, an attorney licensed in and admitted to practice before the Courts of the State of New York, and admitted to the bar of this Court, declares the following pursuant to 28 U.S.C. §1746:

1. I am a shareholder in the law firm of Gennet, Kallmann, Antin & Robinson, P.C., attorneys for Consolidated Edison Company of New York, Inc. and the Aegis plaintiffs ("plaintiffs"), in connection with the above matter. I am familiar with the facts and circumstances set forth herein based upon my personal knowledge and my review of documents referenced herein.

2. I respectfully submit this Declaration in opposition to the Motion to Dismiss of defendants 7 World Trade Center Company, L.P., 7 World Trade Company, L.P., d/b/a 7 World Trade Center Company, Silverstein Development Corp., and Silverstein Properties Inc. (collectively "Silverstein").

3. A true copy of the affidavit of Franklin M. Sachs dated July 20, 2006, is annexed hereto as Exhibit "A".

4. A true copy of the transcript of the oral argument on August 9, 2006, is annexed hereto as Exhibit "B".

5. A true copy of the 1968 lease between Con Edison and the Port Authority is annexed hereto as Exhibit "C".

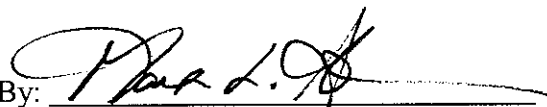
6. A true copy of excerpts from the 1980 ground lease between the Port Authority and Silverstein are annexed hereto as Exhibit "D".

7. A true copy of excerpts from the brief of the Citigroup defendants in support of their motion for summary judgment dated November 23, 2004 is annexed hereto as Exhibit "E".

8. A true copy of the brief of Con Edison dated January 26, 2005 in opposition to Citigroup's motion is annexed hereto as Exhibit "F".

I CERTIFY under penalty of perjury that the foregoing is true and accurate.

DATED: March 18, 2008

By: 
MARK L. ANTIN (MA0427)